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2 **WAGANAKISING ODAWAK STATUTE #2023-_____**
3 **AMENDMENT TO WAGANAKISING ODAWAK STATUTE 2021-003**
4 **INTERIM CRIMINAL CODE**
5

6 **SECTION I. REPEAL**
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8 The following section is hereby repealed:
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10 **SECTION I. JURISDICTION**
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12 **A. Definition.** The criminal jurisdiction of the Little Traverse Bay Bands of Odawa
13 Indians (also referred to in this Code as "Bands" and/or "LTBB") is its power to prohibit
14 certain conduct, as a matter of public policy, within its territory.
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16 **B. Power Implemented.** That power is exercised by enacting this Code and by
17 punishing people who violate its laws.
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19 **C. Territorial Extent.** The criminal jurisdiction of the Little Traverse Bay Bands of
20 Odawa Indians shall extend to:
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22 **1.** all lands and waters described in Article 1 Third and Article 1 Fourth of the
23 Treaty of Detroit of July 31, 1855, 11 Stat. 621;
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25 **2.** all trust land held now or in the future by the United States for the benefit of the
26 Little Traverse Bay Bands of Odawa Indians;
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28 **3.** the activities of Band members when exercising treaty hunting and fishing rights
29 wherever such activity occurs.
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31 **D. Persons Under LTBB Criminal Jurisdiction.** The criminal jurisdiction of LTBB shall
32 extend to:
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34 **1.** all members of LTBB, and
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36 **2.** all other Indians present within the areas described in Section I (C) of this Code.

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3. The criminal jurisdiction of LTBB shall only extend to adults. However, upon motion of the tribal prosecutor, the judge may, in his/her discretion, try a minor as an adult.

SECTION II. REPLACE

The following section replaces the repealed section in Section 1:

SECTION I. JURISDICTION

A. Definition. The criminal jurisdiction of the Little Traverse Bay Bands of Odawa Indians (also referred to in this Code as “Bands” and/or “LTBB”) is its power to prohibit certain conduct, as a matter of public policy, within its territory.

B. Power Implemented. That power is exercised by enacting this Code and by punishing people who violate its laws.

C. Territorial Extent. The criminal jurisdiction of the Little Traverse Bay Bands of Odawa Indians shall extend to:

- 1.** all trust land held now or in the future by the United States for the benefit of the Little Traverse Bay Bands of Odawa Indians; and
- 2.** the activities of Band members when exercising treaty hunting and fishing rights wherever such activity occurs.

D. Persons Under LTBB Criminal Jurisdiction. The criminal jurisdiction of LTBB shall extend to:

- 1.** all members of LTBB within the areas described in Section I(C) of this Code;
- 2.** all other Indians present within the areas described in Section I(C)(1) of this Code; and

1 **3.** all non-Indians present within the areas described in Section I(C)(1) of this
2 Code to the maximum extent allowed under federal law.
3 The criminal jurisdiction of LTBB shall only extend to adults. However, upon motion of
4 the tribal prosecutor, the judge may, in his/her discretion, try a minor as an adult.

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6 **SECTION III. EFFECTIVE DATE**

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8 Effective upon signature of the Executive or 30 days from Tribal Council approval whichever
9 comes first or, if the Executive vetoes the legislation, then upon Tribal Council override of the
10 veto.

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CERTIFICATION